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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 LISA CORSON,

14 Plaintiff,

15 v.

16 IMPERIAL VENUES, INC.; ANDRANIK
17 TER-PETROSYAN, individually; and
18 DOES 1 through 10 inclusive,

19 Defendants.

Case No. 2:23-cv-1668

COMPLAINT

DEMAND FOR JURY TRIAL

20 Plaintiff LISA CORSON, by and through her undersigned counsel, brings this
21 Complaint against Defendant IMPERIAL VENUES, INC.; ANDRANIK TER-
22 PETROSYAN, individually; and DOES 1 through 10, inclusive, and alleges as
23 follows:

24 **NATURE OF THE ACTION**

25 This is a civil action seeking damages and injunctive relief for copyright
26 infringement under the Copyright Act of the United States, 17 U.S.C. § 101 *et seq.*
27 and 17 U.S.C. § 1202.

28 **PARTIES**

1. Plaintiff Lisa Corson (“Corson”) is an individual and professional
photographer.

1 2. Upon information and belief, Defendant Imperial Venues, Inc.
2 ("Imperial") is a corporation company duly organized and existing under the laws of
3 the State of California and doing business in the State of California.

4 3. Upon information and belief, Defendant Andranik Ter-Petrosyan ("Ter-
5 Petrosyan") is an individual residing in the State of California and is, or was at all
6 relevant times, the principal officer or owner of the Defendant business entity named
7 in this Complaint (Imperial Venues, Inc.).

8 4. Plaintiff is unaware of the true names and capacities of the Defendants
9 sued herein as DOES 1 through 10, inclusive, and for that reason, sues such
10 Defendants under such fictitious names. Plaintiff is informed and believes, and on
11 that basis alleges, that such fictitiously named Defendants are responsible in some
12 manner for the occurrences herein alleged, and that Plaintiff's damages, as herein
13 alleged, were proximately caused by the conduct of said Defendants. Plaintiff will
14 seek to amend the Complaint when the names and capacities of such fictitiously
15 named Defendants are ascertained. As alleged herein, "Defendant" shall mean all
16 named Defendants and all fictitiously-named Defendants.

17 5. For the purposes of this Complaint, unless otherwise indicated,
18 "Defendant" and "Defendants" include all agents, employees, officers, members,
19 directors, heirs, successors, assigns, principals, trustees, sureties, subrogates,
20 representatives, and insurers of Defendant named in this caption.

21 **JURISDICTION AND VENUE**

22 6. This Court has original subject matter jurisdiction over copyright claims
23 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

24 7. This Court has personal jurisdiction over Defendants because
25 Defendants have a physical presence in the State of California and/or Defendants
26 transact business in the State of California.

27 8. Venue in this judicial district is proper under 28 U.S.C. § 1391(b)-(d)
28 and/or § 1400(a) in that this is the judicial district in which Defendants reside; a
 substantial part of the acts and omissions giving rise to the claims occurred, or a

1 substantial part of property that is the subject of the action is situated in this judicial
2 district; and/or this civil action arises under the Copyright Act of the United States,
3 and Defendants or their agents reside in or can be found in this judicial district.

4 **FACTUAL ALLEGATIONS**

5 9. Lisa Corson is a highly successful and acclaimed freelance
6 photographer that previously worked as the photo editor for SPIN, New York
7 Magazine, and the Wall Street Journal.

8 10. Corson creates and licenses her work for a fee to a variety of editorial
9 and commercial clients. Corson's client list includes AARP, Delta Airlines, Google,
10 Grand Mariner, House and Garden, Sunset Magazine, The National Geographic
11 Channel, The New York Times, and The Washington Post, and Visit California.

12 11. Corson's livelihood depends on receiving compensation for the
13 photographs she produces, and the copyright protection afforded to Corson's work
14 deters would-be infringers from copying and profiting from her work without
15 permission.

16 12. Corson is the sole author and exclusive rights holder to a photograph of
17 pedestrians walking down a tree-lined, partially-shaded sidewalk, along-side a
18 building with dark green awnings. (the "Corson Photograph").

19 13. Attached hereto as Exhibit A is a true and correct copy of the Corson
20 Photograph.

21 14. Corson registered the Corson Photograph with the United States
22 Copyright Office under Registration Number VAu 1-208-781 with an Effective Date
23 of Registration of April 20, 2015.

24 15. The Corson Photograph appeared in an article featured by the Los
25 Angeles Magazine ("LA Magazine") on October 1, 2018, titled *Why We Love South*
26 *Pasadena* ("LA Magazine Article") and can be found at
27 <https://www.lamag.com/citythinkblog/small-towns-south-pasadena/>.

28 16. A true and correct copy of the screenshot of the LA Magazine Article is
attached hereto as Exhibit B.

1 17. The Corson Photograph, as it appeared in the LA Magazine Article,
2 included a photo credit below the bottom right corner of the image crediting the
3 Corson Photograph to Lisa Corson. *See* Exhibit B.

4 ***Defendants Imperial Venues, Inc. and Andranik Ter-Petrosyan***

5 18. Upon information and belief, Defendant Imperial provides catering and
6 event planning services for weddings and social and corporate events that will be
7 held in its banquet halls in Los Angeles, California.

8 19. Upon information and belief, Imperial is the owner and operator of the
9 website <https://www.imperialpalacebanquethall.com/> (the “Website”).

10 20. Upon information and belief, Imperial generates content on the Website
11 to market and promote its services, attract user traffic and potential clients to the
12 business, and increase its customer base and revenue for the business.

13 21. Upon information and belief, at all relevant times, the Website was
14 readily accessible to the general public throughout California, the United States, and
15 the world.

16 22. Upon information and belief, Ter-Petrosyan is, or was at all relevant
17 times, the principal officer or owner of Imperial and had a direct financial interest in
18 the content and activities of the Website (including the activities alleged in this
19 Complaint).

20 23. Upon information and belief, at all relevant times, Imperial and Ter-
21 Petrosyan had the ability to supervise and control all content on the Website.

22 24. Upon information and belief, the Defendants named in this Complaint
23 (including Imperial and Ter-Petrosyan) were at all relevant times acting as agents and
24 alter egos for each other, with respect to the activities alleged in this Complaint, and
25 are each jointly, severally, and personally liable for the debts and liabilities of each
26 other, with respect to the activities alleged in this Complaint.

27 ***Defendant Imperial Venues, Inc. and Defendant Andranik Ter-Petrosyan’s***
28 ***Willful Infringing Conduct***

 25. On or about March 7, 2022, Corson discovered her Corson Photograph

1 being used by Imperial on the Website on a webpage entitled “6 Important Things
2 To Look For In An Event Venue” as the feature image under the subheading
3 “Location.”

4 26. Attached hereto as Exhibit C are true and correct screenshots of the
5 Corson Photograph as used on the Website. The first two photographs are screenshots
6 taken from a page on the Internet Archive’s website, dated May 23, 2022, and can be
7 found at <https://www.imperialpalacebanquethall.com/choosing-event-venue-los-angeles/>.
8 The third screenshot was taken from the Website on May 3, 2022 and has
9 the date-stamp attached to the screenshot.

10 27. Corson also noticed that the Corson Photograph as used on the Website
11 credited the image to the LA Magazine and did not include her photo credit. *See*
12 Exhibit C.

13 28. Corson is informed and believes that the purpose of the use of the
14 Corson Photograph on the Website was to provide high-quality and aesthetically
15 pleasing content on the Website congruent with Imperial’s marketing campaign.

16 29. Corson did not provide Defendants with consent or authorization to use
17 or display the Corson Photograph on the Website with or without her photo credit.

18 30. In no event did Corson provide Defendants with a license to use or
19 display the Corson Photograph in any manner with or without her photo credit.

20 31. Corson is informed and believes Defendants (including their employees,
21 agents, contractors, or others over whom they have responsibility and control) created
22 an unauthorized copy of the Corson Photograph and caused it to be uploaded to and
23 displayed on the Website.

24 32. Corson is informed and believes Defendants (including their employees,
25 agents, contractors, or others over whom they have responsibility and control) used,
26 displayed, published, and otherwise held out to the public Corson’s original and
27 unique Corson Photograph for commercial benefit and acquired monetary gain and
28 market benefit as a result of use of the Corson Photograph on the Website.

33. Corson is informed and believes Defendants removed the photo credit

1 on the Corson Photograph in order to conceal their infringing conduct.

2 34. After discovering the unauthorized use of the Corson Photograph,
3 Corson, through counsel, sent cease and desist correspondence to Imperial in April
4 and July of 2022 in an attempt to resolve this matter.

5 35. Defendant Imperial never responded to that correspondence, and in fact
6 as of February 18, 2023, Defendant Imperial continued to store a copy of the Corson
7 Photograph on the Website's server.

8 36. Attached hereto as Exhibit D is a true and correct screenshot of the
9 Corson Photograph, taken in Google Incognito mode, as stored on the Website's
10 server, with a date-stamp of February 18, 2023.

11 37. Upon information and belief, Defendants willfully infringed upon
12 Corson's rights in her copyrighted Corson Photograph in violation of Title 17 of the
13 U.S. Code because, *inter alia*, Defendants knew, or should have known, they did not
14 have a legitimate license to use the Corson Photograph.

15 38. In addition, Defendants' conduct is willful because they continued to
16 store a copy of the Corson Photograph on the Website's server, at least through
17 February 18, 2023, after being sent cease and desist correspondence.

18 **FIRST CAUSE OF ACTION**
19 **COPYRIGHT INFRINGEMENT**
20 **17 U.S.C. § 101 et seq**

21 39. Corson incorporates by reference all of the above paragraphs of this
22 Complaint as though fully stated herein.

23 40. Corson owns a valid copyright in the Corson Photograph.

24 41. Corson registered the Corson Photograph with the Register of
25 Copyrights pursuant to 17 U.S.C. § 411(a).

26 42. Defendants (including their employees, agents, contractors or others
27 over whom they have responsibility and control) copied and displayed Corson's
28 unique and original Corson Photograph without Corson's consent or authorization in
violation of 17 U.S.C. § 501.

1 43. As a result of Defendants' violations of Title 17 of the U.S. Code,
2 Corson has sustained significant injury and irreparable harm.

3 44. As a result of Defendants' violations of Title 17 of the U.S. Code,
4 Corson is entitled to any actual damages and profits attributable to the infringement
5 pursuant to 17 U.S.C. §504(b) or, at Corson's election, statutory damages in an
6 amount up to \$150,000 pursuant to 17 U.S.C. § 504(c).

7 45. As a result of the Defendants' violations of Title 17 of the U.S. Code,
8 the court in its discretion may allow the recovery of full costs from Defendants as
9 well as reasonable attorney's fees pursuant to 17 U.S.C § 505.

10 46. Corson is also entitled to injunctive relief to prevent or restrain
11 infringement of her copyrights pursuant to 17 U.S.C. § 502.

12 **SECOND CAUSE OF ACTION**
13 **REMOVAL OF COPYRIGHT MANGEMENT INFORMATION**
14 **17 U.S.C. § 1202**

15 47. Corson incorporates by reference all of the above paragraphs of this
16 Complaint as though fully stated herein.

17 48. The Corson Photograph, as it appeared in the LA Magazine Article,
18 contained copyright management information ("CMI"). Specifically, the Corson
19 Photograph included a photo credit below the bottom right corner of the image
20 crediting the author of the Corson Photograph as Lisa Corson.

21 49. Without Corson's consent or authorization, Defendants intentionally
22 removed the photo credit, related to the Corson Photograph, knowing, or having
23 reasonable ground to know, that it would induce, enable, facilitate, or conceal
24 infringement of Corson's rights in the Corson Photograph in violation of 17 U.S.C §
25 1202(b).

26 50. Additionally, Defendants distributed copies of the Corson Photograph
27 knowing that the photo credit had been removed without Corson's consent or
28 authorization and knowing, or having reasonable ground to know, that it would
induce, enable, facilitate, or conceal infringement of Corson's rights in the Corson
Photograph in violation of 17 U.S.C § 1202(b).

1 51. Specifically, Defendants made an unauthorized copy of the Corson
2 Photograph that contained the photo credit identifying Corson as the copyright owner
3 of the photograph, credited the LA Magazine as the source of the photograph,
4 purposefully failed to credit Corson as the copyright owner of the photograph before
5 incorporating the Corson Photograph on the Website, and distributed copies of the
6 Corson Photograph, knowing they had removed the photo credit from the Corson
7 Photograph, in order to mislead the public into believing that Defendants had
8 legitimately licensed it for use.

9 52. Additionally, Defendants' conduct was intentional because they
10 purposefully removed the photo credit identifying Corson as the author of the Corson
11 Photograph, before incorporating the image on the Website, knowing they were not
12 copyright owner of the Corson Photograph; knowing they had not licensed the
13 Corson Photograph for use on the Website; and knowing they did not have Corson's
14 permission or authority to use the Corson Photograph on the Website or to distribute
15 copies of the Corson Photograph without the photo credit.

16 53. Defendants' conduct constitutes a violation of 17 U.S.C. § 1202(b).

17 54. Corson has sustained significant injury and monetary damages, in an
18 amount to be proven, as a result of Defendants' wrongful acts as hereinabove alleged.

19 55. In the alternative, Corson may elect to recover statutory damages
20 pursuant to 17 U.S.C. § 1203(c)(3) in a sum of not more than \$25,000 for the
21 violation of 17 U.S.C. § 1202(b).

22 **PRAYER FOR RELIEF**

23 **WHEREFORE**, Plaintiff prays for judgment against Defendants, jointly and
24 severally, as follows:

- 25 • For a finding that Defendants infringed Corson's copyright interest in the
26 Corson Photograph by copying, displaying, and distributing it without a license or
27 consent;
- 28 • For a finding that Defendants intentionally removed Corson's photo credit

1 from the Corson Photograph before incorporating the image on the Website;

2 • For an award of actual damages and disgorgement of all of profits attributable
3 to the copyright infringement, as provided by 17 U.S.C. § 504(b), in an amount to be
4 proven or, in the alternative, and at Plaintiff's election, an award for statutory
5 damages for copyright infringement, including willful infringement, in accordance
6 with 17 U.S.C. § 504(c);

7 • For costs of litigation and reasonable attorney's fees pursuant to 17 U.S.C.
8 § 505;

9 • For an injunction preventing Defendants from further infringement of all of
10 Corson's copyrighted works pursuant to 17 U.S.C. § 502;

11 • For statutory damages against Defendants in an amount up to \$25,000 for the
12 removal of copyright management information pursuant to 17 U.S.C. § 1202;

13 • For pre judgment and post judgment interests as permitted by law; and

14 • For any other relief the Court deems just and proper.

15
16 Dated: March 6, 2023

Respectfully submitted,

17 /s/ Mathew K. Higbee
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27
28

DEMAND FOR JURY TRIAL

Plaintiff, Lisa Corson hereby demands a trial by jury in the above matter.

Dated: March 6, 2023

Respectfully submitted,

/s/ Mathew K. Higbee

Mathew K. Higbee, Esq.

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